

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|---------------|--|----------------|-----------------|
| Applicant(s): | K.F. DAY III et al. | Examiner | Woo H. Choi |
| Serial No. | 10/822,410 | Group Art Unit | 2189 |
| Filed | April 12, 2004 | Docket No. | TUC920030193US1 |
| TITLE | METHOD, SYSTEM, AND PROGRAM FOR PREFETCHING DATA INTO CACHE | | |

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being transmitted via the USPTO EFS-Web system to Woo H. Choi of the U.S. Patent and Trademark Office on September 12, 2006.

/David Victor/
David W. Victor

AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Amendment is submitted in response to a first non-final office action in the above case dated June 14, 2006 in which the Examiner rejected claims 17-24 as directed to non-statutory subject matter (35 U.S.C. §101) and indefinite (35 U.S.C. §112, par. 2), and rejected all the claims as anticipated (35 U.S.C. §102(e)) over cited art. Applicants amended claim 17 to overcome the Section 101 and 112, par. 2 rejection and amended certain claims to further distinguish over the cited art. Applicants added claim 25. Applicants submit that all pending claims 1-25 are patentable over the cite dart and in condition for allowance for the reasons discussed herein.

Amendments to the Specification begin on page 2.

Amendments to the Claims are reflected in the listing of claims which begins on page 4.

Remarks/Arguments begin on page 10.